IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

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) CIVIL ACTON NO.4:14-CV-01919
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))))) JURY TRIAL DEMANDED

COMPLAINT

COMES NOW, Plaintiff, and for her Complaint states as follows:

INTRODUCTION

- 1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collections Practices Act, 15 USC 1692 *et. Seq.* ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.
 - 2. Plaintiff demands a trial by jury on all issues so triable.

JURISDICTION

3. This Court has jurisdiction of the FDCPA claim under 15 USC 1692k (d) because the illicit collection activity was directed at Plaintiff in this District.

PARTIES

4. Plaintiff is a natural person currently residing in Jefferson County, Missouri.

Plaintiff is a "consumer" within the meaning of the FDCPA. The alleged debt Plaintiff owes arises out of consumer, family, and household transactions.

- 5. Defendant is a limited liability company with its principal place of business in Monroe, Louisiana. The principal business purpose of Defendant is the collection of debts in Missouri and nationwide, and Defendant regularly attempts to collect debts alleged to be due another.
- 6. Defendant is engaged in the collection of debts from consumers using the mail. Defendant is a "debt collector" as defined by the FDCPA. 15 U.S.C. § 1692a(6).

FACTS

- 7. Defendant's collection activity consists of dunning letters sent to Plaintiff.
- 8. Defendant sent Plaintiff a written communication on or about August 13, 2014.
- 9. Defendant's August 13th letter stated that the alleged debt was from "SOUTH COUNTY RADIOLOGISTS-IMAGING" in the amount of \$17.44.
- 10. Defendant's letter stated that "Failure to make satisfactory arrangements within30 days will only result in damage to your credit for the next 7 years."
- 11. Defendant did not have permission to make such a threat on such a debt totaling\$17.44.
- 12. Defendant's letter further stated that "Your prompt remittance is vital in order to avoid enforceable actions with legal counsel.
- 13. Defendant did not have permission to make threats of legal action on a debt totaling \$17.44.
 - 14. As of the date of this lawsuit, Defendant has never sued Plaintiff.
 - 15. Upon receipt of this letter, Plaintiff was concerned that litigation was eminent.
- 16. Defendant's collection attempts have caused Plaintiff to incur actual damages including but not limited to cellular phone charges, anxiety, sleeplessness, and worry.

COUNT I: VIOLATIONS OF THE FDCPA

17. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

18. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed

violations of the FDCPA, 15 USC 1692 et. seq., including, but not limited to, the following:

a. Using unfair, oppressive, and misleading means to collect or attempt to collect

the alleged debt. 15 U.S.C. § 1692d-f.

b. Threatening action without the authority or intent to take such action, including

but not limited to threatening legal action against Plaintiff. 15 U.S.C. § 1692e.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against

Defendant for:

A. Judgment that Defendant's conduct violated the FDCPA;

B. Actual damages;

C. Release of the alleged debt;

D. Statutory damages, costs and reasonable attorney's fees pursuant to 15 USC

1692(k); and

E. For such other relief as the Court may deem just and proper.

THE EASON LAW FIRM, LLC

s/ James W. Eason

JAMES W. EASON, #57112 124 Gay Avenue, Suite 200

St. Louis, Missouri 63105 Phone: (314) 932-1066

Fax: (314) 667-3161

Email: james.w.eason@gmail.com